



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Ms. Charlene Drake
Director of Operations
React Environmental Professional Services Group, Inc.
P.O. Box 5377
6901 Kingsessing Ave, Suite 201
Philadelphia, PA 19123

JUL 01 2009

Re: React PCB Self-Implementing Plan for Caisson Installation at the Former Schmidt's Brewery, Cleanup Tracking No. 2009-61-010

Dear Ms. Drake:

This letter is in response to React Environmental Professional Services Group, Inc. ("React") notification and certification, dated June 29, 2009, provided to the U.S. Environmental Protection Agency Region III (EPA) pursuant to the requirements of the *Self-implementing on-site cleanup and disposal of PCB remediation waste* regulation, 40 C.F.R. § 761.61(a). This notification and certification was received by EPA on June 30, 2009, and was submitted by you regarding React's plan to cleanup and dispose of polychlorinated biphenyl (PCB) waste located at the Former Schmidt's Brewery site ("Schmidt's" or "Site") located at 2nd and Girard Streets in Philadelphia, Pennsylvania.

EPA has reviewed React's cleanup plan for the Schmidt's site and finds that it is consistent with the requirements of 40 C.F.R. § 761.61(a). EPA hereby approves the PCB cleanup plan for the Schmidt's site submitted with React's notification and certification, dated June 30, 2009. This approval is subject to the conditions and limitations set forth in 40 C.F.R. § 761.61(a). The approved plan may be modified only in accordance with the procedures described at 40 C.F.R. § 761.61(a)(3)(ii).

This approval is only for the caisson installations as detailed in the plan, and, as such, only grants approval for installation of caissons in Lot I. A future plan will need to be submitted and approved for Lot I remediation. No remediation can occur on Lot I at this time.

EPA's approval of React's plan does not in any way constitute a finding by EPA that the Schmidt's site will be safe or appropriate for any future use, does not insulate the owner or occupant of the property from action under any applicable law, and does not relieve React, or any other owner or operator of the Schmidt's site of its continuing responsibility to comply fully with 40 C.F.R. Part 761. EPA emphasizes that these regulations include several conditions and limitations that apply to persons performing a PCB cleanup activity subject to 40 C.F.R. § 761.61(a). Among other things, the regulations state that "[c]omplete compliance with 40 C.F.R. § 761.61 does not create a presumption against enforcement action for penalties for any unauthorized PCB disposal."

Customer Service Hotline: 1-800-438-2474

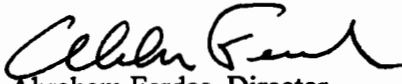
40 C.F.R. § 761.50(b)(3)(ii)(B). Further, "[a]ny person storing or disposing of PCBs is also responsible for determining and complying with all other applicable Federal, state, and local laws and regulations." 40 C.F.R. § 761.50(a)(6).

EPA is requesting that a brief summary of the completed cleanup activities, including but not limited to: characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; copies of manifests; copies of certificates of disposal or similar certifications issued by the disposer; copies of the deed restrictions; and, total amounts of PCB waste disposed, be submitted within ninety (90) days of completion to:

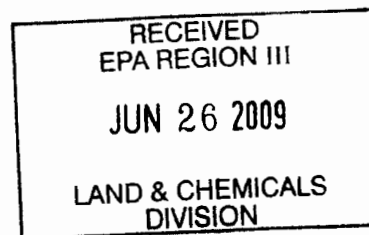
Kyle J. Chelius
U.S. Environmental Protection Agency
Region III (3LC61)
Land and Chemicals Division
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Any questions concerning this approval or the self-implementing site cleanup plan review should be directed to Kyle J. Chelius at (215) 814-3178.

Sincerely,


Abraham Ferdas, Director
Land and Chemicals Division

cc: David Crownover, PADEP



SELF IMPLEMENTING ON-SITE CLEANUP AND DISPOSAL PLAN – CAISSON LOCATIONS

FORMER SCHMIDT'S BREWERY

Bounded by N. 2nd St., Girard Ave., Hancock St., Wilkey St., Germantown Ave.
City of Philadelphia
Philadelphia County, Pennsylvania

June 19, 2009

REPSG Project Reference No. 6651.130.03

PREPARED FOR:

Northern Liberties Development, LP
969 North Second Street
Philadelphia, PA 19123

This plan represents REPSG's knowledge of conditions on the Former Schmidt's Brewery at the time of preparation.

PREPARED BY:

Adam C. Rose
Environmental Risk Analyst

REVIEWED BY:

Charlene Drake
Director of Operations

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1.0 INTRODUCTION

1.1 PURPOSE AND SCOPE

The purpose of this Self-Implementing Onsite Cleanup and Disposal Plan (Report) is to provide the United States Environmental Protection Agency (EPA) Region 3 Toxic Substances and Control Act (TSCA) program with the information necessary to review and approve proposed activities at locations identified for the installation of caissons in the low occupancy portions of Lot I of development on the Former Schmidt's Brewery Site ("Site"). As will be discussed further, this initial Report is intended to cover characterization of these locations to allow the construction of caissons in the areas of the site identified for low occupancy future use (as defined in 40 CFR 761.3). This Plan will not include remediation activities; these will be addressed in subsequent Self-Implementing Cleanup Plan(s). The work will involve sampling of soils.

A prior Self-Implementing Cleanup Plan covering the First Phase of the development dated February 17, 2009 (updated February 25, 2009), and a comment and response document dated February 25, 2009 were submitted to EPA. In correspondence dated February 27, 2009, the EPA approved the Cleanup Plan for the First Phase of the development. The First Phase of development includes the construction of a temporary parking field on Lots II and III of the Site. A detailed description of the Site ownership and usage background, as well as the historical environmental investigation and regulatory reporting are presented in this approved Cleanup Plan.

1.2 PROPOSED SITE REDEVELOPMENT AND USAGE

NLD proposes mixed use for the Site, as depicted in **Figure 1**. This development is subject to slight changes in the construction process, however the plan approval has been granted, and is unlikely to undergo significant change relative to the building footprints and land usage. The development will occur in phases, as previously stated this Report covers the installation of caissons in the low occupancy portion of Lot I. Lot I is the portion of the Site that has been termed the "Second Phase" of development. This development includes the following elements:

Lot I

- A commercial building will be constructed along North 2nd Street and along Girard Avenue. This commercial building will include ground floor retail/commercial units, and a single commercial unit (a supermarket) located above these commercial units at the corner of the intersection between North 2nd Street and Girard Avenue.
- The interior portion of the Lot I development at the Site will be developed with a two-story parking field, above a portion of which will extend the second-story supermarket in the adjacent commercial building.

2.0 TSCA INVESTIGATION

US EPA oversight was initiated by NLD in July 2008. Since July of 2008 grid soil sampling and groundwater sampling at the Former Schmidt's Brewery Site have been conducted to further characterize

the Site, provide delineation for specific areas of PCB impacted soil, verify the successful cleanup of remediated soils, and confirm the absence of PCBs in groundwater. The soil investigations that are pertinent to this Report include soil investigations that have collected soil samples within 10-feet of proposed caisson locations in the low occupancy area of Lot I, and a soil investigation program, conducted on June 11, 2009, that included the collection of soil samples at the locations of the remaining caisson locations in the low occupancy area of Lot I (the locations that did not previously have a soil samples collected within 10-feet).

2.1 Hand Auger Procedure

Hand Auger samples were collected at various locations across the Site. This instrument is frequently used for the collection of shallow soil samples. All soil samples are collected under the oversight of a REPSG geologist. Hand auger samples are collected by first clearing the surface of any debris, and advancing the auger, manually, down to the desired depth for sampling. Upon extraction of the auger approximately 50 cm³ of soils were removed and transferred by an REPSG geologist, wearing new surgical gloves, into a 4 oz. jar.

2.2 Geoprobe® Drilling Procedure

Geoprobe® borings were advanced in at different locations across the Site and were advanced to different depths. All borings were advanced under the oversight of a REPSG geologist. Borings were advanced using a truck mounted Geoprobe® drilling rig, which collects soil samples by using direct push technology. A 2" diameter acetate sleeve was inserted into a 4' long stainless steel core. The core was pushed in the ground, and the soil was collected within the acetate sleeve. The sleeves were then retrieved, cut open, logged, and samples were collected. Four (4) foot and five (5) foot sleeve lengths were used by the two companies that were employed to advance the borings. These two companies include B.L. Myers Brothers and Co. of Glenmoore, PA and Environmental Probing, Inc. (EPI) of Cream Ridge, NJ. All drillers were licensed in the Commonwealth of Pennsylvania.

2.3 Sampling Procedure

2.3.1 Soil Sampling Procedure

All samples from the assessment were collected *in-situ*. Continuous soil cores were obtained from each of the soil borings that were advanced via the Geoprobe® rig, as described above. Soil cores were examined by the on-site scientist. REPSG's on-site scientist characterized the soil using visual and olfactory observations, as well as a portable photoionization detector (PID) equipped with a 10.6eV lamp, capable of detecting organic vapors. REPSG's on-site scientist noted any PID readings, which were measured at six inch intervals along the soil borings, any evidence of contamination, and the depth to groundwater.

Clean, disposable, nitrile gloves were worn during all sampling collection activities. As per REPSG's Standard Operating Procedures, provided in **Appendix B**, approximately 50 cm³ of soils were collected for each sample. These samples were packaged into 4 oz. jars, tightly sealed and clearly labeled with the sample identification number, project name, and date and time of sample collection. After a sample was collected, it was placed immediately in an insulated cooler with ice to maintain a temperature of

approximately 4 degrees Celsius. Each sample was entered on a chain of custody form that was maintained with the samples and transported to Analytical Laboratory Services, Inc. (ALSI) a NELAP accredited laboratory based in Middletown, PA, where these soil samples were analyzed for total PCBs via EPA Method 8082. In accordance with US EPA standards¹ Quality Assurance/Quality Control (QA/QC) samples were also collected and submitted along with the primary samples for analysis. These EPA approved QA/QC samples included duplicated samples collected at a 5% frequency.

2.4 Investigation Derived Waste

Decontamination activities for the non-disposable equipment, and the disposal of the used Geoprobe® sleeves were handled by the drilling company.

3.0 SAMPLING DISTRIBUTION

Soil samples that were included in the evaluation for this Plan include 36 samples that have been collected prior to the June 11, 2009 sampling event. These soil samples are all located within 10 feet of a proposed caisson location, and represent characterization for soils at the locations of 19 caissons found on the low occupancy portion of Lot I. The locations of these 36 soil samples, their total PCB concentrations, and the associated 19 caissons are presented in **Figure 2** included in **Appendix A**.

There are an additional 51 proposed caisson locations in the area covered by this Report (the low-occupancy area of Lot 1); all of these proposed locations were sampled on June 11, 2009. The locations of these samples and caissons are presented in **Figure 3** included in **Appendix A**.

4.0 CLEANUP PLAN AND APPROACH

4.1 Cleanup Approach

4.1.1 Soil

Soils that are not identified to have total PCB impacts greater than the applicable regulatory standard of 25 ppm (this is the low occupancy regulated use standard as defined in 40 CFR 761.61(a)(4)(i)(B)) will remain *in-situ* without any further remediation. The installation of caissons at these locations may proceed without any further investigation or remediation. The cuttings generated during the caisson installation may be consolidated in the consolidation pit located on Lot II.

All locations where soil samples from the June 11, 2009 sampling event or any prior sampling event are found to have total PCB concentrations above the low occupancy regulated use standard of 25 ppm will not be approved for construction. These locations will be marked for remediation, and pending EPA approval of a separate Cleanup Plan that will include a proposal for remediation of these soils and cleanup verification sampling in accordance with 40 CFR 761.61(a)(6) and the sampling guidance, will then be remediated.

¹ Standard Operating Procedure for Polychlorinated Biphenyls (PCBs) Field Testing for Soil and Sediment Samples, Office of Environmental Measurements and Evaluation, EPA Region New England, April 17, 2002.

4.1.2 Subsurface Debris

In areas where PCB impacted soils are disposed of off-Site (greater than 25 ppm), subsurface debris will be disposed of with the soil if practical. Unless analyzed for total PCB concentrations the assumed total PCB concentrations for subsurface debris will be equal to the total PCB concentrations of the surrounding soils. Debris will be managed in the same way as soils, debris determined to not be structurally suitable will be disposed off-Site.

4.1.3 Health and Safety

A Health and Safety plan specifically addressing remediation activities was included in the Cleanup Plan for the First Phase of development approved on February 27, 2009.

4.2 Backfilling

Excavated soils will be backfilled after the full excavation program is complete, and the cleanup goals for that are met. Sources of backfill will be determined by the Site General Contractor, but must meet the cleanup standards for the proposed occupancy.

4.3 Recordkeeping Requirements

Recordkeeping for the cleanup will comply with the requirements set forth in 761.61(a)(9) and 761.125(c)(5). Recordkeeping will be sufficient to document the cleanup with records of decontamination. Records will be maintained for a 5 year period. The records will contain the following information:

1. The date and time of cleanup activities and the daily log of Site work.
2. A description of the surfaces cleaned (if applicable) and the areas excavated each day to include the depth of excavations and the amount of soil removed.
3. Post cleanup verification data along with cleanup verification sampling methodology and analytical methods used.
4. Decision process and subsequent additional excavation and follow-up sampling where initial cleanup verification samples exceed cleanup goals.

5.0 SCHEDULE


The PCB remediation will be conducted in multiple phases. Notifications will be provided as required. The remediation work proposed in this Plan, which is part of the Second Phase of development, is anticipated to begin within one day of approval of this Cleanup Plan. The remediation is anticipated to take 3 weeks.

6.0 CERTIFICATION

All sampling plans, sample collection procedures, sample preparation procedures, extraction procedures, and instrumental/chemical analysis procedures used to assess or characterize the PCB contamination at the Former Schmidt's Brewery Site are on file at Northern Liberties Development, LP offices in Philadelphia, PA and are available for EPA inspection.

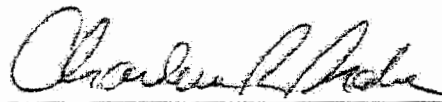
Under civil and criminal penalties of law for the making or submission of false or fraudulent statements or representations (18 U.S.C. 1001 and 15 U.S.C. 2615), I certify that the information contained in or accompanying this document is true, accurate, and complete. As to the identified sections(s) of this document for which I cannot personally verify truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate, and complete.

BY: Northern Liberties Development, LP
OR Northern Liberties Center Inc. its GP



Date

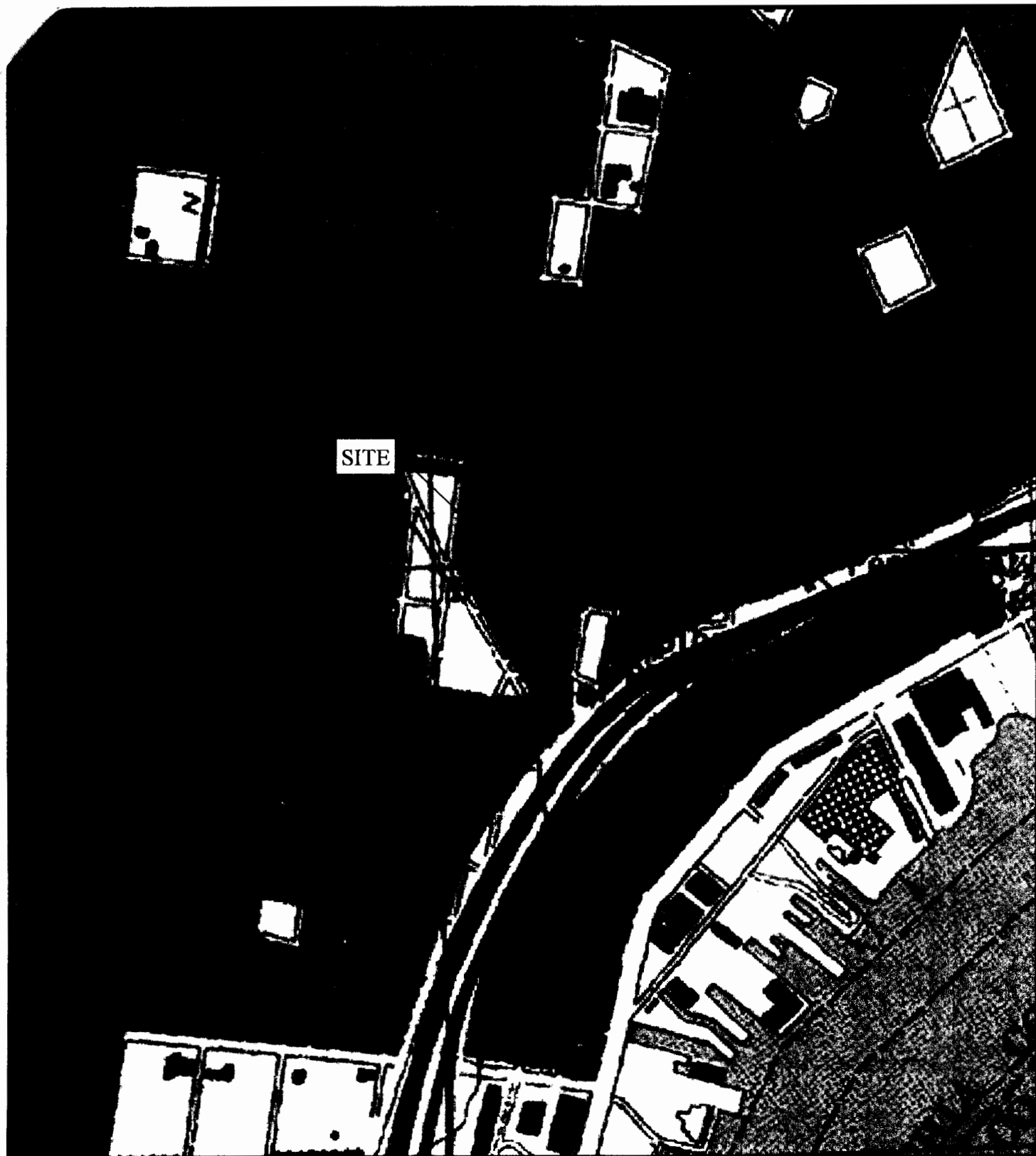
Adam Lisawsky, LP 6/19/09



6-22-09

Date

APPENDIX A: FIGURES



TOPOGRAPHIC MAP



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MAP SCALE: 1 inch = 750 feet

0 150 300 600 900 1,200 Feet

PROJECT NAME: FORMER SCHMIDT'S BREWERY
PROJECT ADDRESS: NORTH 2nd STREET & GIRARD AVENUE, PHILADELPHIA, PA
PROJECT NUMBER: 006651
DATE: JUNE 2009



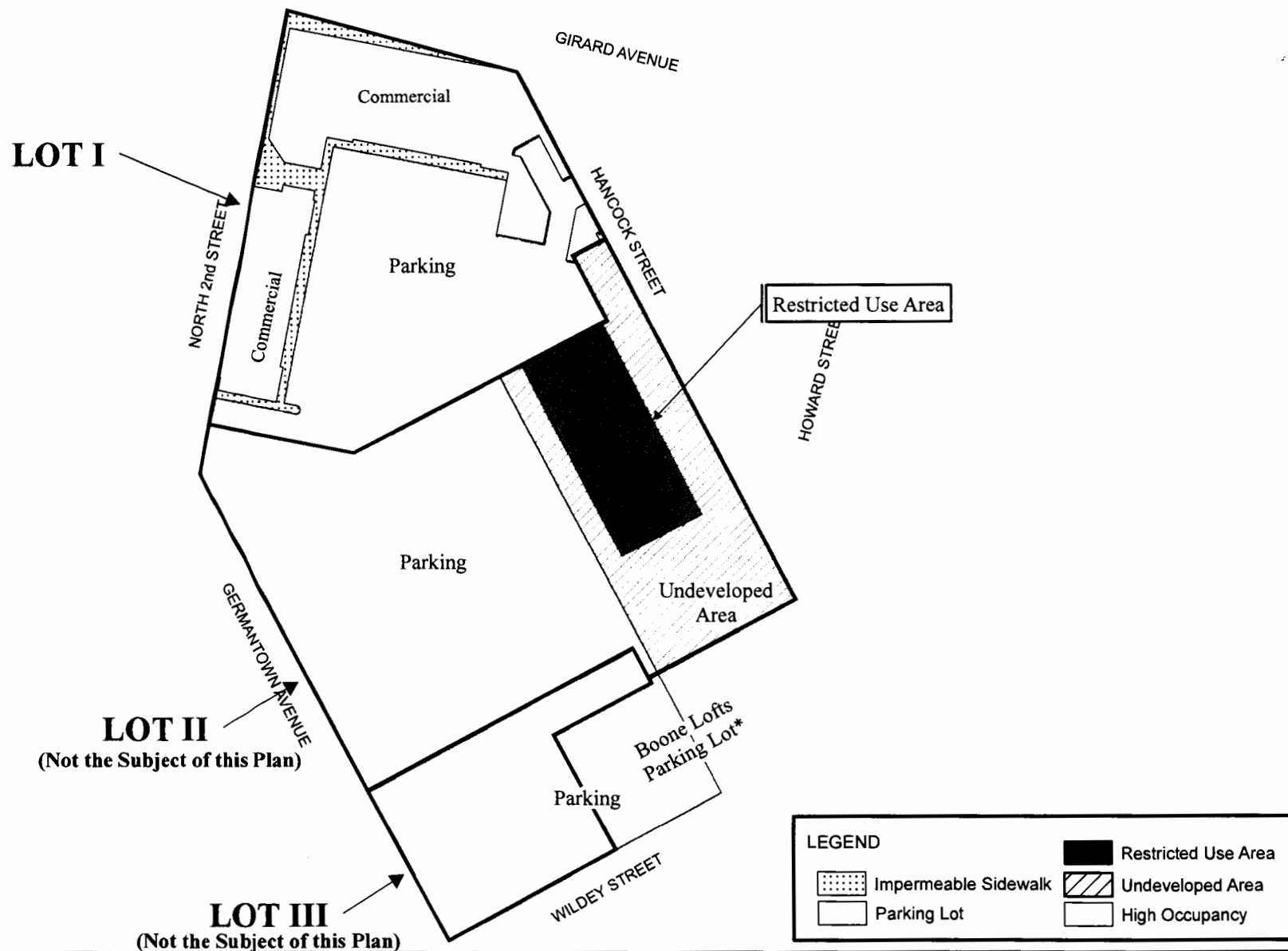


FIGURE 1: SITE DIAGRAM



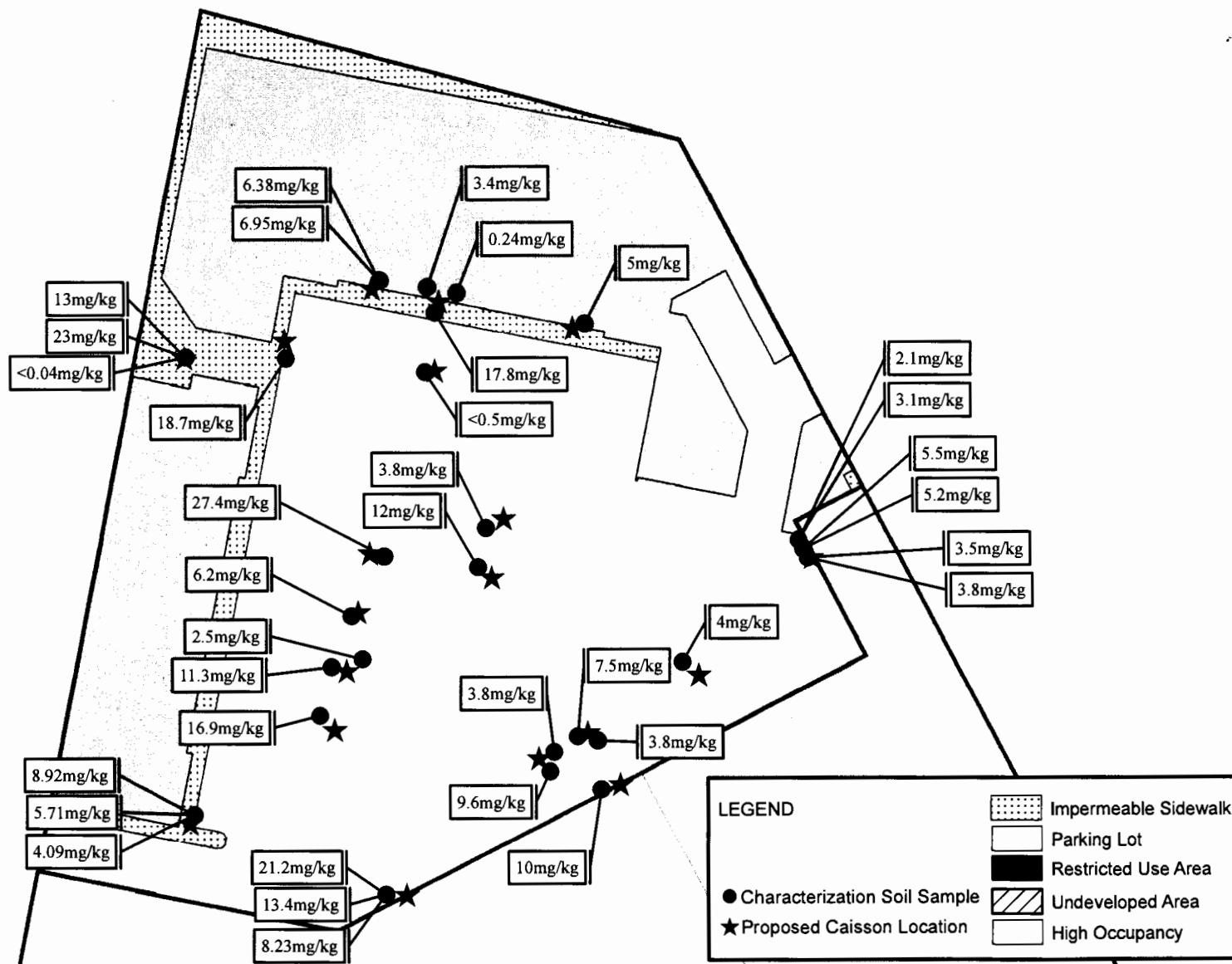


FIGURE 2: SOIL SAMPLE AND CAISSON LOCATION MAP #1



MAP SCALE: 1 inch = 80 feet
 0 15 30 60 90 120 Feet

PROJECT NAME: FORMER SCHMIDT'S BREWERY
 PROJECT ADDRESS: NORTH 2nd STREET & GIRARD AVENUE, PHILADELPHIA, PA
 PROJECT NUMBER: 006651
 DATE: JUNE 2009



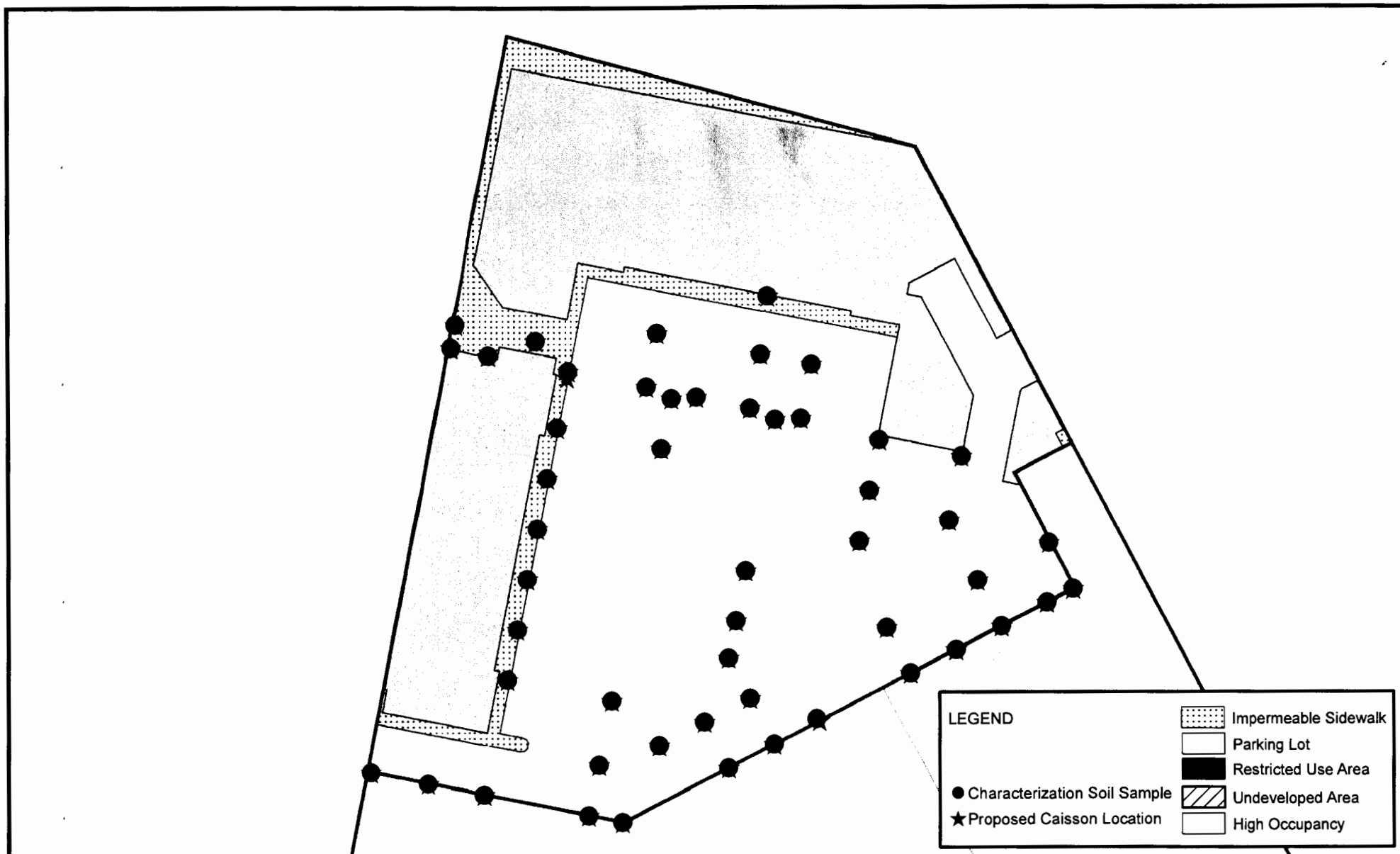


FIGURE 3: SOIL SAMPLE AND CAISSON LOCATION MAP #2

Northern Liberties Development, LP
March 19, 2009

Self-Implementing On-Site Cleanup and Disposal Plan
Former Schmidt's Brewery, 2nd Street and Girard Ave., Philadelphia, PA
REPSG Project Reference No. 6651.130.03

APPENDIX B: REPSG'S STANDARD OPERATING PROCEDURES



Standard Operating Procedure for Soil Sampling

Page 1 of 3

Equipment Requirements:

- Decontamination supplies
- Sample bottles
- Preservation supplies
- Shipping containers
- Field documentation material

Procedures:

1. Decontamination Procedures

Non-aqueous matrix field sampling equipment cleaning and decontamination procedures are as follows:

1. Laboratory grade glassware detergent and tap water scrub to remove visual contamination.
2. Generous tap water rinse.
3. Distilled and de-ionized water rinse.

All sampling equipment is decontaminated prior to use, and field decontaminated between each separate sampling event.

2. Soil Sampling

1. Bucket Auger (to be used for: BNS, TPH, TOC, Acid Extractables)

-
- a) Remove unnecessary non-soil material from the sampling point.
 - b) Attach the bucket and handle to an extension rod.
 - c) Continue boring until the desired depth is attained.
 - d) Use a second decontaminated auger to collect the sample.
 - e) Wearing new surgical gloves, transfer the sample using a decontaminated hand trowel, into an appropriate, labeled container.
 - f) When collecting samples at depths greater than 12 inches, it is advisable to discard 1/2 inch of material on the top of the auger due to cave in.

2. Soil Corer (to be used for Volatile Organics)

-
- a) Insert collection tube into the sampler
 - b) Remove unnecessary non-soil material from the sampling point.
 - c) Attach the corer and handle to an extension rod.
 - d) Continue boring until the desired depth is attained.
 - e) Wearing new surgical gloves, remove the collection tube and transfer to a sample container.



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Standard Operating Procedure for Soil Sampling

Page 2 of 3

3. Hand Trowel

- a) Clear surface debris
- b) Collect sample from 0-24 inches using a decontaminated hand trowel
- c) Wearing new surgical gloves, transfer the sample to the container

4. Backhoe Sampling

- a) Begin with a steam cleaned backhoe
- b) Operate the backhoe in a deliberate fashion removing <6 inches of soil per scoop
- c) Once selected depth is attained, steam clean backhoe bucket
- d) Excavate sample into bucket
- e) Wearing new surgical gloves, remove a sample, using a decontaminated hand trowel. The sample is obtained from the front of the bucket, in an area not in contact with the machinery surface.
- f) Place the sample into a decontaminated stainless steel bucket, and mix the sample to homogenize
- g) Place the homogenized sample into an appropriate, labeled sampling container.

5. Split Spoon Sampling

- a) Begin with decontaminated stainless steel split spoon sampler
- b) Advance Split Spoon to desired depth
- c) Wearing new surgical gloves, retrieve the sampler
- d) Split the sampler and retrieve the soil core
- e) Place the undisturbed soil core into an appropriate, labeled sampling container.

6. Manual Geoprobe

- a) Insert collection tube into the sampler
- b) Attach the corer and handle to an extension rod
- c) Insert coring point and primary extension rod
- d) Attach extension coupling, reverse- thread stopper, and anvil to the corer
- e) Hammer corer to desired depth and release the reverse-thread stopper
- f) Continue to hammer corer to collect soil matrix from desired depth
- g) Wearing new surgical gloves, remove the collection tube and transfer to a sample container
- h) Repeat decontamination procedures prior to re-use

7. EnCore™ Samplers

- a) Using T-handle, push sampler into soil until coring body is completely full
- b) Remove sampler from soil and wipe excess soil from coring body exterior
- c) Cap coring body while it is still on T-handle. Push and twist cap over bottom until grooves on locking arms seat over ridge on coring body. Cap must be seated to seal sampler.



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Standard Operating Procedure for Soil Sampling

Page 3 of 3

- d) Remove the capped sampler from T-handle and lock plunger by rotating plunger rod counter clockwise until wings rest firmly against tab
- e) Attach completed label to cap on coring body and return encore to zipper bag
- f) Seal bag and put on ice

3. Sample Preservation and Transport

- 1. Samples will be transferred from sampling devices to appropriately preserved and labeled sampling containers.
- 2. After they are packaged, samples will be placed into a cooler and maintained at 4⁰C immediately.
- 3. Samples will be delivered, within allowable holding times, with an appropriate chain of custody, to a state certified laboratory for analysis.¹

¹ Sampling Protocol based on ASTM Standard D4700, Description and Sampling of Contaminated Soils: A Field Pocket Guide (EPA/625/12-91/002)